IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

PUBLIC INTEREST LITIGATION NO.51 OF 2004

Nhava Sheva Bandar Kamgar Sanghatana
Antargar ..Petitioner.

Vs.

Union of India & Ors. ..Respondents.

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Mr. Vijay S. Gharat for the Petitioner.
Mr. Rajiv Kumar with Mr. Asif Lampwala and Mr. L. Samuel i/b M/s. Advani & Co. for Respondent No.2.

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CORAM : DALVEER BHANDARI, C.J.&
DR.D.Y.CHANDRACHUD, J,

28th July, 2004.

P.C. :

The Petitioner has filed the Petition against Respondent No.2, the Board of Trustees, Jawahar Nehru Port Trust, a statutory body constituted under the Major Port Trusts Act, 1963. The main grievance of the Petitioner is that Respondent No.2 has started operations with two terminals, one for handling container and one for dry bulk materials. The bulk comprises of two bulk berths one multipurpose berth and a berth for small vessels. In the writ petition the Petitioner has given reference to legal opinions given

by Judges and senior advocates. We are of the considered opinion that writ petition cannot be based on legal opinions given by lawyers and Judges.

The time for submitting tender document was extended for all bidders. There is no discrimination. On consideration of totality of the facts and circumstances of this case, we find no merit in this Petition. The Petition is accordingly dismissed.

CHIEF JUSTICE

DR.D.Y.CHANDRACHUD, J.